

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

DEBBIE JEAN SMITH,

Plaintiff,

-vs-

COMMISSIONER OF SOCIAL
SECURITY,

Defendant.

: CASE NO. 5:13 CV 1045

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: MEMORANDUM OF OPINION AND
: ORDER ADOPTING THE
: MAGISTRATE JUDGE'S REPORT AND
: RECOMMENDATION AND
: REMANDING FOR FURTHER
: PROCEEDINGS

UNITED STATES DISTRICT JUDGE LESLEY WELLS

Plaintiff Debbie Jean Smith challenges the Commissioner of Social Security's ("Commissioner") denial of her application for Disability Insurance Benefits ("DIB") . (Docket No. 1, Complaint). This matter was automatically referred to United States Magistrate Judge Kathleen Burke for a Report and Recommendation ("R&R"), pursuant to Local Civil Rule 72.2(b). In her R&R, Magistrate Judge Burke recommended this Court reverse the Commissioner's decision and remand the case for further proceedings.

The Commissioner has filed a response to the R&R indicating that she would not be filing any objections. (#18). The Court accordingly adopts Magistrate Judge Burke's

R&R in its entirety, reverses the Commissioner's decision and remands for further proceedings consistent with the R&R.

IT IS SO ORDERED.

/s/Lesley Wells
UNITED STATES DISTRICT JUDGE

Dated: 1 May 2014